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10/084,515

02/27/2002

Richard P. Burnley

X-1081 US

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02/07/2005

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EXAMINER

GARBOWSKI, LEIGH M

ART UNIT

PAPER NUMBER

2825

DATE MAILED: 02/07/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/084,515

Applicant(s)

BURNLEY, RICHARD P.

Examiner

Leigh Marie Garbowski

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 01 December 2003 and 17 November 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 and 15-34 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-13 and 15-34 is/are allowed.
- 6) ☐ Claim(s) _____ is/are rejected.
- 7) ☒ Claim(s) 1,3,5,8,10 and 12 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 01/16/2004. (7 sheets)
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

This office action is in response to the Response filed 11/17/2004 and the Remarks filed 12/01/2003.

Election/Restrictions

Applicant's election with traverse of Group I claims 1-18 in the reply filed on 11/17/2004 is acknowledged. The traversal is on the ground(s) that there is no serious burden to the examiner. This is not found persuasive because 37 CFR 1.142 provides that a requirement for restriction can be made at any time before the final action. The application contains two inventions, each being shown to be distinct from the other in the office action mailed 10/18/2004. The cross-reference to class 703 subclass 19 comprises the static timing analysis and simulating that is significant to the invention of Group II. Searching through this subclass, in addition to the complete subclasses to be searched for this subject matter, further encompasses the features of a programmatic representation and a spreadsheet. All of these added features present a serious burden to the examiner in terms of searching for the specific and proper subject matter as distinctly claimed.

The requirement is still deemed proper and is therefore made FINAL.

This application contains claims 19-34 drawn to an invention nonelected with traverse in Paper No. 11/17/2004. A complete reply to the final rejection must include cancellation of nonelected claims or other appropriate action (37 CFR 1.144) See MPEP § 821.01.

Claim Objections

Claims 1, 5 and 8 are different from the language filed 12/01/2003. For example, claim 1 is missing the term --device-- [line 2], and claims 5 and 8 have stray marks [lines 2, 4, and 2]. Appropriate correction is required.

Claims 3 and 12 are objected to because of the following informalities: as per claim 3, "host integrated circuit" [line 2] should be changed to --programmable logic circuit-- to clarify the antecedent basis; as per claim 12, "is" [line 2] should be deleted to clarify the language. Appropriate correction is required.

Claim 10 recites the limitation "feeding back circuitry values and modifications.." in lines 9-11. There is insufficient antecedent basis for this limitation in the claim. The

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language of claim 14 that was added to claim 10 by amendment included dependency to claim 12 which provides antecedent basis for the "modifications" feature. The language of claim 13 provides antecedent basis for the "circuitry values" feature. Applicant is encouraged to amend the claim to include the language found in the steps of claims 12 and 13 which would provide the antecedent basis required and relied upon in the reasons for indicating allowable subject matter.

Allowable Subject Matter

Claims 1-13, 15-18 are allowed over the prior art.

The following is an examiner's statement of reasons for allowance: although the prior art of record cited below describes some of the features as recited, the prior art of record does not disclose all of the features in combination as particularly recited in the claims, and there is no motivation to combine these teachings to obviate the claimed subject matter.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Pedersen [U.S. Patent #5,572,717] and Horstmann et al. [U.S. Patent #5,535,223] disclose clock-to-output delay and setup/hold time. Grundon et al. [U.S. Patent #6,611,905 B1] disclose a memory controller programmable to have different clock-to-output delays. Frankle et al. [U.S. Patent #5,521,837] disclose suggesting delay limits. Abrosimov et al. [U.S. Patent Application Publication #2003/0097541] disclose processing data such that latency of memory and communication channels does not reduce processor performance [paragraph 0041]. Nguyen et al. [U.S. Patent #6,686,769 B1] disclose a programmable I/O circuit for interfacing with a memory device, including the control of timing parameters such as clock-to-output, set-up and hold times. Ware et al. [U.S. Patent #6,675,272 B2] disclose coordinating memory operations among components.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Leigh Marie Garbowski whose telephone number is 571-272-1893. The examiner can normally be reached on days.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Smith can be reached on 571-272-1907. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


LEIGH M. GARBOWSKI
PRIMARY EXAMINER